

REMARKS

This Amendment is being filed along with a Request for Continued Examination (RCE).

Claims 4 and 6 are canceled. Applicant reserves the right to file those claims in a continuation application. Claim 5 has been amended. New claims 7 and 8 have been added. Support for the amendments and new claims can be found in the Specification and in the originally filed claims. No new matter has been added. Claims 5, 7, and 8, are now pending in the present application. Applicant respectfully requests reconsideration of the present application in view of this response.

In an earlier Office Action, claims 4 to 6 were rejected under 35 U.S.C. § 101 for purportedly lacking practical application in the technological arts. Claims 4 and 6 have been canceled. Applicant respectfully submits that claim 5 contains statutory patentable subject matter. According to guidelines published by the USPTO, if the invention produces a useful result, *i.e.*, the invention has a practical application in the technological arts, then it should not be rejected under 35 U.S.C. § 101. Claim 5 concerns a process for secret transmission of a message by establishing a common cryptographic key for n subscribers using the Diffie-Hellman process. As explained in the Specification, this process has a practical application in the technological arts in that it provides a process to guarantee the secrecy of messages which are to be transmitted exclusively to a number of subscribers via insecure communication channels. *See, e.g.*, Specification at page 1, lines 5-10. The present application also provides a process wherein a group key is established with the aid of a tree structure in such a manner so that even after the group key has been established, subscribers can be removed from or added to the key directory without great effort. Accordingly, claim 5 does recite statutory patentable subject matter and withdrawal of the rejection under 35 U.S.C. § 101 of claim 5 is respectfully requested.

Likewise, new claims 7 and 8 are believed allowable over 35 U.S.C. § 101.

CONCLUSION

In view of all of the above, it is believed that rejection under 35 U.S.C. § 101 of claim 5 has been overcome. Accordingly, it is respectfully submitted that claims 5, 7, and 8, are in a condition for allowance. It is therefore respectfully requested that any outstanding rejections be withdrawn, and that the present application issue as early as possible.

Respectfully submitted,

Dated March 23, 2007

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